

Hearing Date: December 2, 2022 at 10:00 a.m. (ET)
Objection Deadline: November 15, 2022 at 4:00 p.m. (ET)

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

Three Arrows Capital, Ltd.,¹

Debtor in a Foreign Proceeding.

Chapter 15

Case No. 22-10920 (MG)

THIRD AMENDED² NOTICE OF (I) FILING AND HEARING ON (A) MOTION FOR ENTRY OF AN ORDER APPROVING CROSS-BORDER COURT-TO-COURT COMMUNICATIONS PROTOCOL, (B) MOTION FOR ENTRY OF AN ORDER GRANTING CERTAIN DISCRETIONARY RELIEF PURSUANT TO 11 U.S.C. §§ 1521(A), (B) AND 1522, (C) FOREIGN REPRESENTATIVES' MOTION FOR ENTRY OF AN ORDER AUTHORIZING ISSUANCE OF SUBPOENAS AND GRANTING RELATED RELIEF, AND (D) FOREIGN REPRESENTATIVES' MOTION FOR ENTRY OF AN ORDER AUTHORIZING ALTERNATIVE SERVICE OF PROCESS AND (II) ADJOURNMENT OF NOVEMBER 16, 2022 HEARING

PLEASE TAKE NOTICE that on October 10, 2022, Russell Crumpler and Christopher Farmer, in their joint capacities as the duly authorized foreign representatives (the "Foreign Representatives") of Three Arrows Capital, Ltd (the "Debtor") filed (a) the *Motion for Entry of an Order Approving Cross-Border Court-to-Court Communications Protocol* (the "Protocol Motion") and (b) the *Motion for Entry of an Order Granting Certain Discretionary Relief Pursuant to 11 U.S.C. §§ 1521(A), (B) and 1522* (the "Discretionary Relief Motion"), with the United States Bankruptcy Court for the Southern District of New York (the "Court").

PLEASE TAKE FURTHER NOTICE that by the Protocol Motion, the Foreign Representatives request entry of an order approving the proposed cross-border court cooperation and communication protocol attached thereto as Exhibit 1, pursuant to sections 105(a), 105(d), 1525 and 1527 of the Bankruptcy Code and consistent with the Cross-Border Guidelines and the Modalities of Communications.

PLEASE TAKE FURTHER NOTICE that by the Discretionary Relief Motion, the Foreign Representatives request entry of an order entrusting the distribution of the Debtor's assets within the United States to the Foreign Representatives pursuant to sections 1521(a), (b) and 1522 of the Bankruptcy Code, including granting the Foreign Representatives authority to transfer to

¹ The last four digits of the Debtor's British Virgin Islands company registration number are 0531. The location of the Debtor's registered office is ABM Chambers, P.O. Box 2283, Road Town, Tortola, VG1110, British Virgin Islands.

² Amended solely to adjourn the hearing date to December 2, 2022 at 10:00 a.m. (ET), per further instructions of the Court.

the BVI the Debtor's assets located in the United States, including cryptocurrencies and other digital assets that may be deemed to be located in the United States, without further notice to this Court or other parties in interest.

PLEASE TAKE FURTHER NOTICE that the Protocol Motion and the Discretionary Relief Motion were scheduled to be heard on November 28, 2022 at 2:00 p.m. (prevailing Eastern Time). Per further directions of the Court, **such hearing is hereby adjourned to December 2, 2022 at 10:00 a.m. (prevailing Eastern Time)**.

PLEASE TAKE FURTHER NOTICE that on October 14, 2022, the Foreign Representatives filed (a) the *Foreign Representatives' Motion for Entry of an Order (A) Authorizing Issuance of Subpoenas and (B) Granting Related Relief* (the "Discovery Motion") and (b) the *Foreign Representatives' Motion for Entry of an Order Authorizing Alternative Service of Process* (the "Alternative Service Motion," and together with the Protocol Motion, the Discretionary Relief Motion, and the Discovery Motion, the "Motions").³

PLEASE TAKE FURTHER NOTICE that by the Discovery Motion, the Foreign Representatives request entry of an order (a) authorizing the issuance of, and directing compliance with, subpoenas for the production of documents and testimony on the Founders, the Investment Managers, and any other persons or entities that the Foreign Representatives reasonably determine during the course of their investigation may have information relevant to the Debtor, its assets, its affairs, its rights, its obligations, or its liabilities, including, but not limited to, the form of subpoena attached as Exhibit 1 to the Discovery Motion; and (b) granting related relief.

PLEASE TAKE FURTHER NOTICE that by the Alternative Service Motion, the Foreign Representatives request entry of an order (a) authorizing service of subpoenas on the Founders, attached thereto as Exhibit B, via (1) email and (2) the Founders' Twitter page, and (3) the Founders' Advocatus counsels' email, (b) authorizing the service of FRCP Rule 45 subpoenas to other third parties via alternative means including (1) mail, (2) email, (3) delivery to the subpoena recipient's place of business or corporate office, or (4) delivery of a copy of the subpoena to the subpoena recipient's counsel by mail and/or email, (c) authorizing the issuance of subpoenas that command the electronic production of documents, and (d) granting related relief.

PLEASE TAKE FURTHER NOTICE that the Court had scheduled a hearing (the "Hearing") to consider the relief requested in the Motions for 2:00 p.m. (prevailing Eastern Time) on November 28, 2022. **Per further directions of the Court, the hearing on the Motions is hereby adjourned to December 2, 2022 at 10:00 a.m. (prevailing Eastern Time)** before the Honorable Martin Glenn of the United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, New York 10004.

PLEASE TAKE FURTHER NOTICE, in accordance with General Order M-543, dated March 20, 2020 (Morris, C.J.), a copy of which may be viewed on the Court's website at <http://www.nysb.uscourts.gov/sites/default/files/m543.pdf>, the Hearing will be conducted by telephonic means through Zoom for Government® videoconference. Parties wishing to participate

³ Capitalized terms shall have the same meanings ascribed to them in the Motions.

in the Hearing are required to register their eCourtAppearance by 4:00 p.m. (prevailing Eastern Time) the day before the Hearing at <https://ecf.nysb.uscourts.gov/cgi-bin/nysbAppearances.pl>.

PLEASE TAKE FURTHER NOTICE that copies of the Motions and all documents filed in the chapter 15 case are available to parties in interest on the Court's Electronic Case Filing System, which can be accessed from (a) the Court's website at <http://www.nysb.uscourts.gov> (a PACER login and password are required to retrieve a document), or (b) upon written request to the Foreign Representatives' counsel (including by facsimile or e-mail) addressed to:

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A copy of select pleadings filed in the chapter 15 case are available for review, free-of-charge, on the website maintained by the Foreign Representatives: <https://3acliqliquidation.com/>.

PLEASE TAKE FURTHER NOTICE that any party in interest wishing to submit a response or objection to the relief requested by the Motions shall file such response of objection with the Court no later than **4:00 p.m. (prevailing Eastern Time) on November 15, 2022.**

PLEASE TAKE FURTHER NOTICE that any responses of objections to the relief requested by the Motions shall be in writing, in accordance with the Bankruptcy Code, the Bankruptcy Rules, and the Local Bankruptcy Rules for the United States Bankruptcy Court for the Southern District of New York, and shall set forth the basis for such response or objection with specificity and the nature and extent of the respondent's claims against the Debtor. Any such

written responses or objections shall be filed electronically with the Court by registered users of the Court's electronic case filing system in accordance with General Order M-399 and the Court's Procedures for the Filing, Signing and Verification of Documents by Electronic Means (copies of each of which may be viewed on the Court's website at <http://www.nysb.uscourts.gov>) and by all other parties in interest, on a compact disc in Portable Document Format (PDF), Microsoft Word, or any other Windows-based word processing format, which disc shall be sent to the Office of the Clerk of the Court, One Bowling Green, New York, New York 10004-1408. A hard copy of any written response or objection shall be sent to the Chambers of the Honorable Martin Glenn, Chief United States Bankruptcy Judge, One Bowling Green, New York, New York 10004-1408 and served upon counsel for the Foreign Representatives, Latham & Watkins LLP, 1271 Avenue of the Americas, New York, New York 10020 (Attn.: Adam J. Goldberg, Brett M. Neve, Nacif Taousse, and Brian S. Rosen), and Latham & Watkins LLP, 355 South Grand Avenue, Suite 100, Los Angeles, CA 90071 (Attn.: Daniel Scott Schecter, Nima H. Mohebbi, and Caitlin J. Campbell).

PLEASE TAKE FURTHER NOTICE that all parties in interest opposed to the relief requested by the Motions must appear at the Hearing at the time and place set forth above.

PLEASE TAKE FURTHER NOTICE that the Hearing may be adjourned from time to time without further notice other than an announcement in open court, or a notice of adjournment filed with the Court, of the adjourned date or dates at the hearing or any other further adjourned hearing.

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Dated: November 10, 2022
New York, New York

Respectfully submitted,

/s/ Adam J. Goldberg

Adam J. Goldberg

Brett M. Neve

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– and –

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